

IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

DETRICK MURRAY-BEY,)	
)	
Plaintiff,)	
)	
v.)	CASE NO. CV420-199
)	
CITY OF PORT WENTWORTH and)	
DEREK WHITE, in his Official)	
Capacity,)	
)	
Defendants.)	
)	


O R D E R

Before the Court is the Magistrate Judge's Report and Recommendation (Doc. 4), to which objections have been filed (Doc. 6). In response to Magistrate Judge Ray's recommendation that in forma pauperis ("IFP") status be denied, plaintiff remitted the \$400 filing fee.¹ Though plaintiff's objections strengthen his argument for IFP status, the payment of his filing fee makes moot his efforts to proceed IFP. See Golden v. Kaiser, 1 F. App'x 841, 841 n.1 (10th Cir. 2001) (denying as moot a motion to proceed IFP and request to refund a filing fee remitted after a prior IFP

¹ In Plaintiff's Objection to the Magistrate's Report and Recommendation, Plaintiff also requests a refund of his filing fee. (Doc. 6.) The Court is not aware of any precedent which would support granting this request. See Crutchfield v. City of Manchester, Ga., No. CV308-126, 2008 WL 11287017, at *1 (N.D. Ga. Oct. 28, 2008) (denying refund of filing fee); see also Queen v. United States, No. CIV.A. 05-3341, 2006 WL 3791321, at *1 (D. Kan. Dec. 22, 2006). Accordingly, Plaintiff's request that his filing fee be refunded is **DENIED**.

motion was denied). After a careful review of the record, the report and recommendation is **ADOPTED** as the Court's opinion in this case. As a result, Plaintiff's motion to proceed in forma pauperis is **DENIED AS MOOT**.

SO ORDERED this 17th day of September 2020.



WILLIAM T. MOORE, JR.
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

Detrick Murray-Bey,

Plaintiff,

v.

CITY OF PORT WENTWORTH

and Derek White,

Defendants.

CV420-199

OBJECTION TO MAGISTRATE JUDGE'S REPORT AND RECOMMENDATIONS

I, Plaintiff, appearing pro se, has submitted a 42 U.S.C § 1983 complaint for case CV420-199. In my application form of monthly income, I included \$70 per week from Bio life. This is not a consistent weekly gained amount. I have not been able to receive payment the past two weeks. I received a call this morning 04 September 2020 from a Bio Life nurse that I will not be able to donate again due to low levels of proteins. This will cause another two to three weeks in potential earnings. Also missing from initial request to proceed *in forma pauperis (IFP)* is additional expenses that I have. I spend \$70 approximately for gas, \$80 approximately per week for food, \$60 per month for internet (I am attending online school and must have internet access). This calculates to be an additional \$600 approximately added to monthly expenses which brings my total to \$2, 924 approximately.

I recently made the payment of \$400 to proceed with this matter. I was given some money from a friend. I am asking for consideration to proceed *in forma pauperis* and if I can receive a refund of the \$400 submitted as I am facing hardship with new information received today. Reported and submitted to the court this 04th day of September 2020.

Debra Murray-Bry
Plaintiff